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3 **UNITED STATES DISTRICT COURT**
4 **CENTRAL DISTRICT OF CALIFORNIA**
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6 AGENSYS, INC. and ASTELLAS
7 PHARMA, INC.,

8 Plaintiffs,

9 v.

10 HANS DAVID ULMERT and
11 NORBERT PEEKHAUS,

12 Defendants.
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Case No. 2:24-cv-03961-JFW (PDx)

ADDENDUM TO STIPULATED
PROTECTIVE ORDER

(PD Version)

☐ Check if submitted without
material modifications to PD form

14 WHEREAS on November 18, 2024, this Court entered a Stipulated Protective
15 Order;

16 WHEREAS the Stipulated Protective Order provides at Section 7.3(b) for up
17 to three House counsel for each entity to have access to “Highly Confidential –
18 Attorneys’ Eyes Only” Information;

19 WHEREAS at time of entry of the Stipulated Protective Order, Plaintiffs
20 Agensys, Inc. and Astellas Pharma, Inc. identified two House counsel and they now
21 identify their third House counsel;

22 The parties stipulate to this Addendum to Stipulated Protective Order whereby
23 Plaintiffs identify their third House counsel as follows:

24 Paragraph 7.3(b) of the Stipulated Protective Order shall provide as follows:

25 7.3 Disclosure of “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES
26 ONLY” Information or Items. Unless otherwise ordered by the court or permitted in
27 writing by the Designating Party, a Receiving Party may disclose any information or
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1 item designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” only
2 to:

3 (a) the Receiving Party’s Outside Counsel of Record in this Action, as well
4 as employees of said Outside Counsel of Record to whom it is reasonably necessary
5 to disclose the information for this litigation;

6 (b) up to three House counsel for each entity, who are not actively
7 involved in and do not provide patent prosecution assistance to others who are
8 actively involved in prosecuting patents concerning the subject matter of this action,
9 identified below:

- 10 • For Plaintiffs Agensys, Inc. and Astellas Pharma, Inc.: Brian
11 Anderson, Chika Seidel, and Ana Bicher.
- 12 • For Defendant Hans David Ulmert: Angus MacDonald, Kimberly
13 Robinson, and Jerome Mayer-Cantu.

14 (c) Experts of the Receiving Party (1) to whom disclosure is reasonably
15 necessary for this Action, (2) who have signed the “Acknowledgment and
16 Agreement to Be Bound” (Exhibit A), and (3) as to whom the procedures set forth in
17 paragraph 7.3(a), below, have been followed, and their staff to whom disclosure is
18 reasonably necessary for this Action and who are supervised by Experts who have
19 signed the Exhibit A;

20 (d) the Court and its personnel;

21 (e) court reporters and their staff;

22 (f) professional jury or trial consultants, mock jurors, and Professional
23 Vendors to whom disclosure is reasonably necessary for this Action and who have
24 signed the “Acknowledgment and Agreement to Be Bound” (Exhibit A);

25 (g) any mediator or settlement officer, and their supporting personnel,
26 mutually agreed upon by any of the parties engaged in settlement discussions;

27 (h) the author or recipient of a document containing the information or a
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1 custodian or other person who otherwise possessed or knew the information; and

2 (i) Defendant Hans David Ulmert and/or Defendant Norbert Peekhaus, to the
3 extent that Plaintiffs contend that the information designated as “HIGHLY
4 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” consists of a trade secret that
5 was misappropriated by the individual Defendant to whom disclosure is made.

6 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

7 DATED: December 10, 2024

8
9 /s/ Randall E. Kay

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1 Pursuant to L.R. 5-4.3.4(a)(2)(i), the filing attorney attests all other signatories
2 listed, and on whose behalf the filing is submitted, concur in the filing's content and
3 have authorized it.

4 /s/Randall E. Kay
5 Randall E. Kay

6 FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

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9 DATED: December 11, 2024

Patricia Donahue
10 HON. PATRICIA DONAHUE
11 United States Magistrate Judge
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